

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SYMBOLITY INNOVATIONS, LLC,

Plaintiff,

v.

**VALVE CORPORATION,
GEARBOX SOFTWARE, L.L.C.,**

Defendants.

CASE NO. 2:23-cv-419-JRG-RSP

JURY TRIAL DEMANDED

**ORDER REGARDING UNOPPOSED MOTION FOR LEAVE TO CONDUCT
EXPEDITED VENUE DISCOVERY AND EXTENSION OF TIME TO RESPOND TO
MOTION TO DISMISS**

Good cause appearing, grants Plaintiff's unopposed motion for leave to conduct limited, expedited venue discovery in this matter, and for an extension of time to respond to Defendant Valve Corporation's ("Defendant" or "Valve") Motion to Dismiss (Dkt. No. 11) from December 8, until the date identified below.

Defendant Valve filed its Motion to Dismiss under 28 U.S.C. § 1406 and Fed. R. Civ. P. 12(b)(3) on November 6, 2023. The parties dispute whether Valve has a regular and established place of business in this District and whether venue is proper in the Eastern District of Texas under *TC Heartland* and *In re Cray*. The Parties have conferred, and Valve does not oppose the motion to conduct venue discovery consistent with the proposals outlined below.

It is hereby Ordered, Symbology is allowed to conduct limited, expedited venue-related discovery, and stay the due date for Plaintiff's Response to Valve's Rule 12(b)(3) motion to dismiss as follows:

1. Venue-related discovery shall be completed within seventy-five (75) days of the issuance of an Order permitting venue-related discovery;
2. Venue related discovery shall be limited to the issues raised in Valve's Motion to Dismiss and associated exhibits, information and Valve ties to the Eastern District of Texas.
3. Symbology may serve no more than five (5) interrogatories and ten (10) document requests to Valve Corporation by December 15, 2023;
4. Valve shall respond to Symbology's discovery requests and produce, subject to Valve's objections, responsive documents, if any, by January 20, 2024;
5. Symbology may conduct a Rule 30(b)(6) deposition of Valve, solely related to the topics in paragraph 2, limited to five (5) hours total on the record on or before January 27, 2024;
6. The foregoing discovery shall not count toward the discovery limits set forth in Court's standing Discovery Order; and
7. Symbology's response to the Motion to Dismiss shall be filed within 15 days of issuance of the final transcript of the referenced Rule 30(b)(6) deposition, or within 89 days of the issuance of an Order permitting venue-related discovery, whichever is the later.